

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(includes Reference to PCT International Applications)

ATTORNEY'S DOCKET  
NUMBER  
**PHBE020042 US**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **NON-VOLATILE MEMORY CELL AND METHOD OF FABRICATION**  
the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as United States application

Serial No \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_

☒ was filed as PCT international application

Number PCT/IB03/05502

On 27 November 2003

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.



I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
Europe	02080428.2	19 December 2002	YES

U.S. DEPARTMENT OF COMMERCE –Patent and Trademarks Office  
(July 1994)

<b>Combined Declaration For Patent Application and Power of Attorney (Continued)</b> (includes Reference to PCT International Applications)				Attorneys Docket Number <b>PHBE020042 US</b>	
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)					
Jack E. Haken, Reg. No. 26,902 Michael E. Marion, Reg. No. 32, 266 Edward M. Blocker, Reg. No. 30,245				Direct Telephone Calls to: (name and telephone number) (914)332-0222	
<b>201</b>	FULL NAME OF INVENTOR	FAMILY NAME <b>VAN SCHAIJK</b>	FIRST GIVEN NAME <b>Robertus</b>	SECOND GIVEN NAME <b>Theodorus Fransiscus</b>	
	RESIDENCE & CITIZENSHIP	CITY <b>Leuven</b>	STATE OR FOREIGN COUNTRY <b>Belgium</b>	COUNTRY OF CITIZENSHIP <b>The Netherlands</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>Kapeldreef 75</b>	CITY <b>B-3001 Leuven</b>	STATE & ZIP CODE/COUNTRY <b>Belgium</b>	
<b>202</b>	FULL NAME OF INVENTOR	FAMILY NAME <b>VAN DUUREN</b>	FIRST GIVEN NAME <b>Michiel</b>	SECOND GIVEN NAME <b>Jos</b>	
	RESIDENCE & CITIZENSHIP	CITY <b>Leuven</b>	STATE OR FOREIGN COUNTRY <b>Belgium</b>	COUNTRY OF CITIZENSHIP <b>The Netherlands</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>Kapeldreef 75</b>	CITY <b>B-3001 Leuven</b>	STATE & ZIP CODE/COUNTRY <b>Belgium</b>	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true: and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 if Title 18 of the United states Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201  			SIGNATURE OF INVENTOR 202  		
DATE 22 July 2004			DATE 22 July 2004		

U.S. DEPARTMENT OF COMMERCE- Patent and Trademarks Office

(July 1994)

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

24738

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

24738

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone			Fax


Assignee Name and Address:

KONINKLIJKE PHILIPS ELECTRONICS N.V.  
Groenewoudseweg 1  
5621 BA Eindhoven, The Netherlands

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/86 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	02 FEB 2005
Name	Michael E. Marion	Telephone (914)	333-9637
Title	Authorized Representative		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Koninklijke Philips Electronics N.C.	
Application No./Patent No.: Concurrently	Filed/Issue Date: Concurrently
Entitled: Vertical split gate non-volatile memory cell and method of fabrication thereof	

Koninklijke Philips Electronics N.V., a corporation  
states that it is:

- ☒ the assignee of the entire right, title and interest,
- ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_% in the patent application/patent identified above,

by virtue of:


- ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:
1. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
  2. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
  3. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments or other documents in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 15-JUN-2005

Respectfully submitted,

By



Peter Zawilski, Reg. No. 43,305  
Title: Patent Attorney  
Tel: (408) 474-9063